

PLANNING AND ZONING COMMISSION

MEETING MINUTES

APRIL 4, 2013

AGENDA

NEW CASES

1. **Stansbury at Muirfield Village** **10799 Drake Road**
13-009Z/PDP/PP **Rezoning/Preliminary Development Plan**
Preliminary Plat
(Approved 4 – 0 - Rezoning with Preliminary Development Plan)
(Approved 4 – 0 - Preliminary Plat)
2. **Village at Coffman Park – Ganzhorn Suites** **Discovery Blvd at Wall Street**
13-019CP **Concept Plan**
(Discussion only)
3. **Coffman Park – Phase 1** **5200 Emerald Parkway**
13-016AFDP **Amended Final Development Plan**
(Approved 6 – 0)

Chair Chris Amorose Groomes called the meeting to order at 6:30 p.m. and led the Pledge of Allegiance. Other Commission members present were Richard Taylor, Amy Kramb, Warren Fishman, John Hardt, and Victoria Newell. Joe Budde was absent. City representatives were Claudia Husak, Gary Gunderman, Jennifer Readler, Jennifer Rauch, Kristin Yorko, Aaron Stanford, Paul Hammersmith, Alan Perkins, Steve Skelton, Laura Ball, and Flora Rogers.

Council member Amy Salay, on behalf of City Council, thanked the reappointed Commissioners Chris Amorose Groomes and John Hardt for volunteering to serve another term. She said that Council views their position as one of the most significant in the City because they are entrusted and are asked for a lot of their personal time to attend not only meetings, but to visit sites, review documents, and think critically about what is best for the community. She swore in the new members and congratulated them.

Motion and Vote

Mr. Fishman moved to adjourn the meeting into an Executive Session regarding personnel matters. Mr. Taylor seconded the motion. The vote was as follows: Ms. Newell, yes; Mr. Hardt, yes; Ms. Kramb, yes; Ms. Amorose Groomes, yes; Mr. Taylor, yes; and Mr. Fishman, yes. (Approved 6 – 0.)

Motion and Vote

Mr. Taylor moved to reconvene the meeting. Ms. Newell seconded the motion. The vote was as follows: Mr. Fishman, yes; Ms. Amorose Groomes, yes; Ms. Kramb, yes; Mr. Hardt, yes; Ms. Newell, yes; and Mr. Taylor, yes. (Approved 6 – 0.)

Motion and Vote

Mr. Fishman moved to appoint Richard Taylor as the 2013 – 2014 Vice Chair. Mr. Hardt seconded the motion. The vote was as follows: Ms. Newell, yes; Ms. Kramb, yes; Ms. Amorose Groomes, yes; Mr. Taylor, yes; Mr. Hardt, yes; and Mr. Fishman, yes. (Approved 6 – 0.)

Motion and Vote

Mr. Fishman moved to appoint Chris Amorose Groomes as the 2013 – 2014 Chair. Mr. Hardt seconded the motion. The vote was as follows: Ms. Kramb, yes; Ms. Amorose Groomes, yes; Ms. Newell, yes; Mr. Taylor, yes; Mr. Hardt, yes; and Mr. Fishman, yes. (Approved 6 – 0.)

Motion and Vote

Mr. Taylor moved to accept the documents into the record as presented. Ms. Newell seconded the motion. The vote was as follows: Mr. Hardt, yes; Mr. Fishman, yes; Ms. Kramb, yes; Ms. Amorose Groomes, yes; Ms. Newell, yes; and Mr. Taylor, yes. (Approved 6 – 0.)

Ms. Amorose Groomes asked if there were any comments or corrections regarding the February 21, 2013 meeting minutes. [There were none.]

Motion and Vote

Mr. Taylor moved to accept the February 21, 2013 meeting minutes as presented. Mr. Fishman seconded the motion. The vote was as follows: Ms. Amorose Groomes, yes; Ms. Newell, yes; Ms. Kramb, yes; Mr. Hardt, yes; Mr. Fishman, yes; and Mr. Taylor, yes. (Approved 6 – 0.)

Ms. Amorose Groomes asked if there were any comments or corrections regarding the March 7, 2013 meeting minutes. [There were none.]

Motion and Vote

Mr. Fishman moved to accept the March 7, 2013 meeting minutes as presented. Mr. Hardt seconded the motion. The vote was as follows: Ms. Kramb, yes; Ms. Newell, yes; Ms. Amorose Groomes, yes; Mr. Taylor, abstain; Mr. Hardt, yes; and Mr. Fishman, yes. (Approved 5 – 0 – 1.)

Communications

Ms. Amorose Groomes deferred the communications until the Commission Roundtable.

Administrative Business

Ms. Amorose Groomes asked if anyone wanted to pull either of the two cases eligible to be on the consent agenda.

John Hardt pulled Case 1, Stansbury at Muirfield Village and Case 3, Coffman Park – Phase 1 for questions and comments.

Ms. Amorose Groomes determined that the cases would be heard in the order of the published agenda. She briefly explained the rules and procedures of the Planning and Zoning Commission.

**1. Stansbury at Muirfield Village
13-009Z/PDP/PP**

**10799 Drake Road
Rezoning/Preliminary Development Plan
Preliminary Plat**

Richard Taylor and Warren Fishman recused themselves from this case due to personal conflicts of interest.

Chair Chris Amorose Groomes introduced this application to rezone an 11.5-acre site from R, Rural District to PUD, Planned Unit Development District for 19 residential lots and approximately 4 acres of open space, located on the east side of Drake Road, 200 feet south of the intersection with Springburn Lane. She explained that two motions on this application will be necessary, and both components will be forwarded to City Council for final approval.

Claudia Husak presented this rezoning with preliminary development plan and preliminary plat application. She said the proposed site is surrounded on all sides by single-family homes within Muirfield Village with access on Drake Road from Springburn Drive. She presented a photograph of the site. Ms. Husak said there exists a 30-foot change of terrain and a vacant house and several outbuildings are currently located on the site. She referred to a preliminary tree survey included in the meeting materials which identified many mature evergreens and deciduous trees including ash trees on the site. She said there is a Stream Corridor Protection Zone on the site.

Ms. Husak presented the previous informal proposal and the October 2012 Concept Plan for this site which were reviewed previously by the Commission. She said 24 cluster units were proposed in the informal proposal with 2 acres of open space. She said for the Concept Plan the density was reduced to be more in line with the surrounding Muirfield Village neighborhoods to 19 units. She said while the Commission supported the proposed lower density, it was mentioned that they preferred the clustering of the lots as proposed at the Informal.

Ms. Husak said the applicant has combined those two ideas and provided 19 single family lots arranged in a cluster design in the northeast, northwest, and southeast area of the site, preserving just over four acres of open space. She said this proposed plan has a density of 1.62 units per acre, which is the lower density of the surrounding Muirfield Village sites. She said there are large areas of open space provided with this proposed plan. Ms. Husak said the proposed open space on the south side stretches along the lots and is adjacent to existing open space within Muirfield Village. She said a bikepath connection to the existing Muirfield Association bikepath is shown. Ms. Husak said the applicant proposes a 55-foot area around the stream corridor as a protection zone. She said one street will access all of the lots that end in a looped, cul-de-sac type arrangement. She said the two areas proposed for stormwater management are within the cul-de-sac and the outer area to the south of the road.

Ms. Husak said the applicant proposes to create a tree preservation zone along the northern and western property boundaries. She said the zone for Lots 1 through 6 is 45 feet wide and 35 feet wide for Lots 7 through 13. She said that lately, in a couple of developments where existing trees were to be preserved, the applicants have also indicated that the area would be heavily replanted with the replacement trees that they were required to provide, on the site. Ms. Husak said there is not a tree preservation zone shown, but because all of the area indicated in a green color is within a Reserve, it would have tree preservation also taking place and again it creates a wider strip of open space.

Ms. Husak said that Muirfield Village is willing to take all the wide open spaces into their ownership as well as into their maintenance. She explained that typically, the open space is required to be dedicated to the City, but in Muirfield Village that is not typically the case. She said that the Park Director supports the open space requirements being waived in this case because the open space was being dedicated to Muirfield. She said the open space will still count toward the requirements, but the City will not be taking ownership of it.

Ms. Husak said that a Build Zone for all of the lots is shown on the plan as a 10-foot line in front of each of the lots. She said that it differs slightly, depending on which lot it is, and the development text has that lined out per lot bases. She said the line starts 20 feet from the road right-of-way and then it is a 10-foot Zone in which the home has to be located. She said this is creating more of a natural setback for each of the homes.

Ms. Husak said that the applicant is also providing sidewalks beginning at Lot 1 and ending at the driveway of Lot 14 and along Lots 15 through 19, which would access a path within the Muirfield Village open space. She pointed out that even though it was not an amenity that has been typical in Muirfield, Planning and the applicant feel strongly about having an opportunity for people to walk along their street within a safe area and having access to the paths through a sidewalk system.

Ms. Husak presented the preliminary plat outlining the Reserve areas. She said that the applicant has indicated that the road will be named Stansbury Drive. She said since it is a continuation of Drake Road, there is a condition that the applicant work with staff on the road renaming because the existing small area of Drake Road also needs to be renamed so that the road name does not change halfway. She said that the applicant has been asked to work with staff and Delaware County to vacate the road since the right-of-way is located in Delaware County instead of the City of Dublin.

Ms. Husak said the Commission recommendations for the preliminary plat and preliminary development plan will go to City Council for final approval. She said that Planning is recommending approval of this rezoning with the Preliminary Development Plan with no conditions, and two conditions for the preliminary plat.

Ben Hale, Jr., Smith and Hale, (37 West Broad Street, Columbus, Ohio), representing the applicant Bill Adams, said that they had made an agreement with the Muirfield Association to take the property within the Association to own the open spaces. He said they also agreed that before the Association took title to the open space, that would they clean it up and remove any dead or diseased trees. He said the lots will be subject to the Muirfield deed restrictions, rules and regulations, and a forced and funded homeowners association. He said the all homes will be subjected to the Muirfield Association's architectural review process and standards. Mr. Hale said that although sidewalks are not allowed in Muirfield, they have an agreement with the Association that they will waive that part of their requirements and allow them in this development. He said that the market for these cluster homes will be for the active adult community.

Ms. Amorose Groomes invited public comments regarding this application.

Gretchen Randall (8883 Belisle Court) pointed out that the Public Notices for this case were received during Spring Break week when many residents were vacationing. She asked if the case could be tabled to another date so that more residents could be notified to attend the meeting.

Jennifer Readler said that the notice delivery complied with Dublin's Code requirements and that circumstances typically would not justify a tabling.

Ms. Randall said that there was a group of organized residents that contact everyone involved with the discussion of these properties. She said she received her notice on Monday, March 25th and that most residents left Thursday or Friday for vacation.

Ms. Amorose Groomes said that the good news was that this was not the last hearing for this application. She said since the notification requirement had been met, they could proceed with this meeting, but that there would be an additional opportunity for everyone's thoughts to be heard.

Ms. Randall said she thought the Commission would want to make sure that the residents were available to have the most information possible. She said that the City of Dublin should know when the Dublin Schools were on vacation.

Ms. Amorose Groomes asked Ms. Randall to share her thoughts about this application with the Commission.

Ms. Randall said this plan was a little better, but the group she was speaking for would like to see 15 homes. She asked what the square footage and the price range proposed for the homes was. She said they would like to see one-story homes instead of the proposed mixture of 1-, 1½-, and 2-story homes. Ms. Randall said with this lot orientation, residents will literally be staring into the second story of homes due to the dip in some areas on the site. She said they would like to see a protection zone around the entire property. Ms. Randall said this was the first time she had seen the plans and so her comments were 'off the cuff.'

Allan Swearingen, (8881 Cruden Bay Court) agreed that this plan was getting in line with what they were expecting, but that it was not what had been represented on the City website. He said on the initial plan with 23 lots, there was a concern where the water ran off the buffer zone of the drainage there. He said it appeared before that the lots were held back off of what would be the existing property line, but now the lot goes straight back to the property line. He said he was trying to understand what was the reasoning was, but now there seemed to be more buffer zones there. He asked how to access the current plan proposed being proposed.

Ms. Husak explained that the information on the website being referred to was based on the application originally filed as the public record. She said that an updated application was what was being reviewed at this meeting and it is also available for view on the website. She said that the original application is not deleted from the website because it was a trail of the process.

Mr. Swearingen said as a homeowner, he expected this site to be developed in the same low density as the surrounding development.

Ms. Amorose Groomes said that when she pulled up this case on the website, she saw that there were 23 lots. She said she assumed that after this meeting, the most recent information would be uploaded.

Ms. Husak explained the way it was organized was that there was the application and site plan that were originally submitted, and then an updated site plan was posted underneath that.

Mr. Swearingen asked where was the property line of the homeowner and where did the setback start for the proposed buffer zone. He asked if it came from the property line or the tree buffer.

Ms. Husak explained that the lots on the north would directly back up to lots, and then the first dotted line was the tree preservation zone, and the second dotted line was the rear yard setback.

Mr. Swearingen said that could not be seen on the website and that caused concern about where the setbacks would be and how that would be addressed.

Ms. Husak said her contact information was available on the website, and she offered to provide the additional details to anyone interested.

Carol Rieland, (5733 Springburn Drive), said one of the concerns that she shared with other residents was the square-footage of the houses. She said she would like to see that they are similar to the houses that surround the area, in keeping with the neighborhood. She said she was also concerned about the amount of traffic created that will spill onto their street and the surrounding streets. She said that Springburn Drive does not have sidewalks, and with 19 houses, there would probably be 38 vehicles that will pass onto Springburn Drive, Whitecraigs Court, and McIntyre Drive. She said she was concerned about the traffic and the children that play in the street and in the surrounding neighborhood. Ms. Rieland asked if the entire area would be razed then the spec houses would be built one by one. She said she was concerned there would be construction noise for several years. Ms. Rieland said regarding the buffer zone, she recalled that originally, there was a 50-foot buffer from the houses on the north side, and today, it was decreased.

Ms. Husak explained there were setbacks and tree preservation zones. She said that Lots 1 through 6 have a 50-foot setback and a 45-foot tree preservation zone. She said because there needs to be room for utilities and that was why the tree preservation zone did extend as far. Ms. Husak said that there was a total of 45 feet of setback on Lots 7 through 12.

Ms. Rieland said she was also concerned because currently, when it rains heavily, the creek overflows behind her house. She said she wanted to make sure they did not have flooding issues after this development was complete.

Jeff Schoener, (5825 Springburn Drive) asked for the definition of a tree preservation zone and where the applicant would remove dead trees.

Mr. Hale said that there were many Ash trees which will have to be removed and the applicant has agreed to do that. He said they are required to meet Code with the tree replacement and some of the trees will go in the open space that Muirfield is taking. He said that Muirfield wants to keep that area as natural as they can because they think that aesthetically, it would be best and it would reduce maintenance by keeping it in its natural state.

Mr. Schoener asked if that would be just on property owned by Muirfield or on individual lots.

Mr. Hale said it was for individual lots also. He said in the tree preservation zone near where the current residents live, they will also replace trees and create more of a wooded area.

Mr. Schoener asked if living Ash trees would be removed.

Mr. Hale explained that they were asked to remove the existing Ash trees and replace them with trees not subject to diseases. He said when they come back with the final development plan, they will submit a Landscape Plan showing where those trees will be located, and if approved by the Commission, they will plant them.

Mr. Hale addressed the question regarding house values and said with the price of the property and the development they will cost more than \$500,000. He said because they will be subject to Muirfield's Design Review they will be in keeping with what exists there now. He said they hoped that it would provide the neighbors comfort to know that this development will be part of their association and will have the same standards. He said ultimately, the Commission and the City have the right to approve the tree planting program.

Ms. Husak said that a definition for a tree preservation zone similar to what had been used in the past required that the zone be fenced off with a sturdy metal fence prior to construction, and that no building structure, fence, patio, recreational or athletic facility, or any other improvement of any kind can be within that zone, so no patios, decks, swimming pools are permitted. She said also, no work can be performed that would alter the natural state of the zone and that no tree or vegetation may be removed from the zone, except for the removal of dead, diseased, decayed, or noxious trees and vegetation.

Mr. Schoener asked if that meant the replanting of trees.

Ms. Amorose Groomes said that would be determined at the final development plan stage when the applicant will be required to submit a Landscape Plan. She explained that the tree study would be overlaid with the Landscape Plan to identify significant voids and supplemental plantings will be made in those areas where there are deficiencies. Ms. Husak said in addition, the applicant is also stating that in the development text that the reforestation will take place primarily in those areas.

John Hardt clarified that the fence around the tree protection zone was to be a temporary construction-type fence.

Vincent Resor, (5837 Springburn Drive) said that his house was next door to Lot 1, and all 38 vehicles will be driving by his house every morning and evening, so he was interested in the plans to widen the road. He asked if it would be widened to his property or into the community property on the other side, towards the trail.

Aaron Stanford said currently the existing pavement is around 22 to 24 feet in this area and that would be proposed for the 28-foot section from the back of the curb to the other side of the curb and 50 feet of right-of-way. He said in this area, there is actually more than that. He said they will widen the existing roadway much as it exists, center it, and actually perform any work within the existing right-of-way. He said there would be no need to encroach onto any private property on either side of that area.

Mr. Resor said from his perspective, it would certainly encroach into his property, but he would review the notes to get the math straight.

Mr. Resor said regarding the 'reforestation', they cut down probably the largest tree in Dublin which shaded his driveway and his daughter's basketball court in his backyard, which left him with a beautiful view of his neighbor's house. He said the record with tree preservation left something to be desired. He said looking out his back window, 50 feet will provide a striking view of the construction fence and then the houses on the other side. He asked for reassurance about the integrity of the reforestation plan definition. He asked what could be offered in terms of understanding.

Ms. Husak reiterated that these plans move from the Commission to City Council, and then come back to the Commission for final approval of the final development plan. She said a detailed Landscape Plan is part of that approval which requires that all of the trees to be removed to be shown as well as all of the trees to be replaced, so that there is an enforceable document. She said if any tree is removed from the plan after it has been planted, the developer will still have to replace them, even if they do not survive.

Mr. Resor asked when it said 'all of the trees on the plan' did the plan includes the green at the top on the north side.

Ms. Husak said that was correct.

Mr. Resor said understanding that he had no trees on his side of the creek, that meant literally every tree in his backyard would be cut down.

Ms. Husak said only the trees that are dead or diseased would be cut down.

Mr. Resor said he had some of those trees.

Ms. Husak reiterated that all trees that will be cut down will have to be shown on the plans as being scheduled to be removed.

Mr. Resor asked where the stop sign would be located. He also asked what would be the deposition of his mailbox that appeared to be in the right-of-way and at the end of his driveway.

Ms. Husak said based on Mr. Stanford's math, if the roadway is going to be 28 feet and it is currently 22 or 24 feet wide, it will either have to extend two or four feet within the existing right-of-way. She said the road will extend two feet or four feet towards Mr. Resor's house, and hence, the mailbox will have to move beyond the road.

Greg Cunningham, (5801 Springburn Drive) recalled that at the time of the Commission's review of the Concept Plan in October it was discussed giving the buffer zone to Muirfield also so that there was some control over it. He asked if something is built in that zone and a tree dies that needs to be replanted, how it will be enforced.

Ms. Amorose Groomes explained that the plan would be submitted and it will go into the files that are enforceable by City Code. She said there are several Code Enforcement employees that inspect, but certainly do not count every tree, everywhere, every time. She said however, on the City website there is

a phone number listed to call to report a tree that is no longer there. She said at that point, a notice would be sent to have that tree replanted.

Mr. Cunningham asked the advantage of not having the buffer area go with the rest of the open space area through Muirfield.

Ms. Husak explained that the responsibility would be that of the homeowner to replace those trees once the lot is sold.

Mr. Cunningham said it would seem a lot harder to do than to have the Association do it. He said if that green area was added to the other green area in Muirfield there would be a dependable method.

Ms. Husak said it was her understanding that Muirfield did not want that area because it is difficult to access.

Mr. Cunningham asked if in this process was there house value assessment done which showed how the development affected surrounding existing houses.

Ms. Husak said that a house value assessment was not part of the City review process.

Mr. Cunningham it was a big oversight when ultimately the development could affect the surrounding community's biggest investments.

Ms. Husak said that Planning's consideration goes along the lines of the type of architecture required and the type of architectural review and detailing that the Association will require and with that there is an expectation that values will be created that are comparable to surrounding areas.

Mr. Cunningham said he bought a house in a lower density neighborhood, and that was the value of the house. He said he would like to know if this rezoning will majorly impact the value of it. He said he understood that the houses will look very similar and will be upheld to the highest standards, but he would like to know that when he bought a house with a very, very low density behind it at 'X' value, that it being rezoned did not make it 'X-minus' a certain value, but he understood it was not a part of the process.

Ms. Amorose Groomes said that was part of the risk and the reward of buying a house next to vacant land.

Mr. Cunningham said he understood, but as a Dublin resident, he relied on the Commission to consider those when they were reviewing plans. He said the Commission represents the Dublin residents.

Jeanne Fox, (8860 Braids Court), recalled that originally, single-story homes were proposed and she asked for clarification on that. She also asked for a definition of 'active adult.' She recalled that in the original proposal, it talked about an empty-nester type of community. She asked if a marketing study was done to see if the \$500,000 price point worked for the target market sought. She asked about density in regards to the various floor levels proposed.

Judy Boyles, (8890 Belisle Court), said she had no problem with the property being developed. She said no other homes in the area were as clustered or crowded as these would be. She said that the Commissioners had always done a beautiful job of developing Dublin. She said most of the new residents were told that this property was going to be low density. She said she hoped that rezoning the property would make it a safer place. She said this was too much in such a small area. Ms. Boyles suggested the Commissioners visit the bike trail and observe what she was talking about because it looked a lot different on paper than in person.

Ms. Amorose Groomes said that she walked those paths all the time and that this was a beautiful piece of property.

Barry Boyles, (8890 Belisle Court), said knowing how important this was to many people and how passionate they were about this project, to bring it up in the middle of Spring Break and not have that consideration was concerning to him. He said this was not thought through, or and maybe there was something else going on there. Mr. Boyles said he did not appreciate the date this case was scheduled to be heard by the Commission.

Mr. Boyles said the tree taken down was a magnificent 100-year old plus tree. He said he heard that the tree was removed over a holiday, and that the workers said the tree was diseased. Mr. Boyles asked if they would have to deal with this throughout the entire project of which trees are diseased and which are Ash. He asked who would patrol all that. He said a resident on the next cul-de-sac had a beautiful Oak tree in his front yard, and on a holiday, the tree was cut down to the base because some acorns fell on his dog or something. Mr. Boyles said they reported it to Muirfield, but nothing was ever done to make him replace that tree. He said he was also concerned about the 38 vehicles coming out onto Springburn Drive, and the water flow when there is a heavy rain. Mr. Boyles asked who would watch over this project to make sure that all the trees, green area, everything else is maintained, and if they were not maintained, what would happen.

Ms. Amorose Groomes verified that there were no additional public comments, and closed the meeting for Commission discussion.

John Hardt said he was in favor of this rezoning because the Planned Unit Development District that will be established provides a degree of protection that does not exist there today. He said the density now is consistent with the neighborhoods that surround it, which was an improvement. Mr. Hardt said the specifics of some of the PUD regulations being proposed such as the Tree Protection Zones, the entry into the Muirfield Village Association, and the submission of the proposed homes to the Muirfield Design Review Process, were strong benefits that go a long way in protecting the home values and the surrounding homes in the area. He said the quality of the homes that are built is more important than the quantity once they arrive at the right density, and he thought they were there.

Mr. Hardt asked if there were any Drake Road addresses currently.

Ms. Husak said there were not any existing Drake Road addresses.

Mr. Hardt noted that the submitted documents had a couple of references to Lot #1, in particular, a requirement that the garage must face west. He said he was not comfortable with that because entering into this neighborhood, the first thing that will be seen is the garage which is not consistent with the rest of Muirfield Village. He said as he looked at the engineering drawings and the plat that the Commission is being asked to vote on tonight, the first lots, Lots 2 through 6, are quite narrow, being in the 75 to 79-foot range. He said he would like to see them be at least 80-foot lots because narrower lots have a real impact on the architecture of the house in terms of how the garage is positioned relative to the rest of the house. He said if the lot is narrow, the garage tends to get pushed out and becomes more prominent which he did not think was the quality that they were after here.

Mr. Hardt asked why on Lots 2 through 6 and 7 through 12 the tree preservation zone changed dimensions.

Ms. Husak said that it had to do with the location of the utilities, and the road curves north a little, making the lots move up a little. She said it was just to allow the lots a little more buildable area. She said the dimensions for the tree preservation zone were between 35 feet at one end and 30 feet at the

other end. She said the Build Zone was between 20 feet and 30 feet for all of the lots, except for Lots 12 and 13.

Mr. Hardt referred to Lots 15 through 19, and said that there seemed to be equal amounts of 'green space', but not a tree preservation zone. He asked for an explanation why it was that way.

Ms. Husak said that Planning and Muirfield Village wanted a wider buffer where the footpath passed through, and it was the same width as what is on the other side so there is a wider swath of open space.

Mr. Hardt referred to the proposed development text and said regarding architecture, there are provisions that he found troubling or confusing. He said that it referred to the City of Dublin Residential Appearance Standards, but he understood tonight that it would be taken into the Muirfield Village Association where the Muirfield Design Review Standards would apply. Mr. Hardt said colleagues in his field have indicated that sometimes the two documents conflict with each other, so he would like to see that scrutinized a little. He suggested referring to both documents and say whichever is stricter should prevail on a given subject matter.

Ms. Husak asked if that should be left to the City to determine.

Mr. Hardt said following that in the development text, 'The Muirfield Association shall retain the right to individual plan approval for all single family homes', which he thought was a good thing. He asked however, if that meant the Muirfield Village Association is being given the authority to enforce the City's Residential Appearance Standards.

Ms. Husak explained that typically what happens is that Planning receives with the Building Permit for an individual home, a letter from the association or from an architectural review committee saying the home has been approved by the association, or by their architectural reviewing body. She said then, the Building Department and the Design Review staff reviews that Building Permit against City requirements. She said if the Association approved anything that did not meet the Appearance Code, staff would not be able to approve the plan.

Mr. Hardt said he understood that the Association has the design review of responsibility and enforcement authority over the Muirfield Design Review Guidelines, and the City subsequently, enforces the Dublin Appearance Code, but he thought the text was a little sloppy in that regard. He suggested it should be made clear that one document is being enforced by one body and another document is being enforced by the other.

Mr. Hardt referred in the same area of the text, a reference to the possibility of being this being a themed community, which meant essentially, all the homes would follow a similar architectural theme. He said he did not have a strong opinion whether or not this is a good place to do that, but he had a strong opinion that it should be established now instead of saying it might or might not happen. He said he was concerned that without a thematic statement which way they are going with this, they could start with a themed community and if the market goes another way, it changed.

Ms. Husak explained that the text language is intended to say that if there were a theme, that the Commission had to approve it and then they would have to adhere to that theme. She said since the Commission and staff did not know now whether there will be a theme, the Development Text basically states that it has to come back to the Commission at the final development plan stage with the theme for the Commission's review and approval.

Mr. Hardt said it was an enhancement to the text that stated 'If a themed community were pursued, it needs to be approved by the developer and Planning and Zoning Commission' however, it did not say

when. He said he would like it to say that it has to happen at the final development plan stage, so that they are setting up at the beginning which way it is going to go.

Ms. Husak acknowledged his suggestion.

Amy Kramb said she also was concerned about the varying width of the tree preservation zone, but thought with the stream dividing it, it would not cause as much confusion. She noted that there were 5 feet extra for the lots and the people on Lot 7 would wonder why Lot 6 had 5 feet more than they did. She suggested it would be simpler to enforce if the zone was the same distance all the way across.

Ms. Kramb said she wanted to make sure that if there are any Landmark trees anywhere on the property that it is known now, before they are cut down to build a house on a lot.

Ms. Husak said that the Landmark trees were identified in the Preliminary Development Plan.

Ms. Kramb said she had reviewed the list, but did not know which were considered Landmark trees. She said she knew there was a 23-inch Black Walnut tree that would certainly be cut because it was in the middle of Lot 12 or 13. She said it was hard to tell because the Tree Plan did not have the lots superimposed on them. Ms. Kramb said it was identified as 'Tree #542 – Black Walnut, 23-inches, in fair condition.'

Ms. Husak explained that it was not considered a Landmark tree because its diameter was not 24-inches.

Ms. Kramb noted that there was a 32-inch Sugar Maple in the Stream Corridor Protection Zone. She said she reviewed all 602 trees on the plan, but could not find them all. She wanted to make the note now that they will not allow a tree to be cut because it was in the middle of a lot.

Ms. Husak said there were four trees that would meet the Landmark tree requirement on the entire property.

Ms. Kramb said she strongly advised the developer to know where those four Landmark trees were and to know that the City is not going to let them cut them down for a house to be built. She said the building lines should be adjusted accordingly before the Commission sees this development again.

Ms. Kramb said she also thought Lots 1 through 6 seemed very narrow, especially compared to the lots on the next street. She said they did not align perfectly and they are slightly angled. Ms. Kramb suggested that if Lot 6, the smallest and narrowest, could be eliminated to make the other lots a couple of feet larger.

Ms. Amorose Groomes said she agreed that Lot 6 was entirely too tight, and it encroached on the Stream Corridor. She said that 10 feet could be added to Lots 2 through 5, and the balance could be added to the stream corridor.

Ms. Kramb agreed that instead of seeing the garage on Lot 1, there should be a nice entrance.

Ms. Kramb said she was curious how Lot 14 was oriented the way the sidewalk ended.

Ms. Husak said typically, the sidewalk is ended at the driveway since it is not known where the driveway is going to be located. She said the sidewalk location would be determined with the Building Permit because that was when the sidewalk is constructed. She clarified that the sidewalk would not necessarily end at Lot 14, and that the text stated that as well.

Ms. Kramb said that the elimination of Lot 6 would get closer to the better density.

Ms. Kramb asked if it was obvious that the backyards of Lots 19 to 15 were the part of the Association's right-of-way and bikepath.

Ms. Amorose Groomes said that was the way it was throughout all of Muirfield Village.

Victoria Newell said she shared the concerns about Lots 1 through 6. She also made the suggestion that Lot 6 be eliminated and that the other lots be re-spaced.

Ms. Newell said the overall density on this site is comparable to what the density is for the surrounding neighborhoods. She agreed that rezoning this property as a PUD gave the opportunity to protect the surrounding residents. Ms. Newell said she supported this proposed rezoning, but she thought the lots should be rearranged to make them more buildable.

Ms. Amorose Groomes said that the text mentioned an entry feature, and entry features are not consistent in individual neighborhoods within Muirfield Village. She said she was not sure where would be an appropriate location for an entrance feature sign since there are neighbors on the corner. She said she would like to see the elimination of any entrance feature sign. She said this would be a nice addition, and it should stand on its own merits and not need an entry feature.

Ms. Amorose Groomes said ending the sidewalk at Lot 14 seemed like an unusable location. She said she thought the sidewalk should extend all the way down. She pointed out that to get to the path from Lot 14, you have to come down and cross the street. She said she preferred to see the sidewalk wrap around.

Ms. Amorose Groomes said she hoped that the pond shape indicated on the drawings was just to indicate the area on which a pond will be located. She said it should look far more natural, free flowing, and more appropriate than having an 85-degree angle as shown. She said at the final development plan stage, she would like to see where the pond will go and how it will look. She said the old farm split rail and wire fencing should be removed as part of the cleanup of the unnatural materials on the site.

Ms. Amorose Groomes said that the Commission has always asked that when infill is taking place, that the setbacks exceed that of the neighbors. She said she was appreciative that the applicant heeded the Commission's input provided in that the setbacks for this development do exceed the setback for the adjoining properties. She said she thought for the increase, that it was a step in the right direction.

Ms. Amorose Groomes explained that regarding potential flooding issues, this developer will have to prove to Dublin's Engineering Department that the flooding issues and the water handling will be better when they are finished that it was before they started. She said that between the handling of the drainage area and the addition of the pond, she was sure that it had already gone through some engineering process so that it will be resolved in the end.

Ms. Amorose Groomes asked that the previous question about the approximate square footage of the homes be answered.

Mr. Hale said the houses will cost more than \$500,000, which is appropriate to the surrounding properties. He said he thought these houses will probably be 3,200 to 3,500-square-feet in area.

Mr. Adams said that the Muirfield Village deed restrictions dictate the minimum square-footage and he was confident that the houses will be in excess of that.

Ms. Amorose Groomes explained that the deed restrictions were included in an information packet when the existing homeowners purchased their homes. She said she believed that the minimum square footage

allowed per the deed restrictions was 1,800-square-feet, but Mr. Hale had indicated that in this development, they would be approximately 3,500-square-feet.

Ms. Amorose Groomes referred to the previous question regarding how long the construction would take place to complete the development. She said that the Commission can not dictate to the applicant the duration that they have to build the lots.

Mr. Hale said all of the street construction, tree replanting, and those things will happen up front. He said he thought in this price point, most people will want to customize these houses, so other than the specs the builder builds up front, almost all of these houses will be built on a contract.

Mr. Hardt said regarding the sidewalk that currently does not loop around and finishes the cul-de-sac; he suggested that the south side of the road would be the most pleasant place in the neighborhood to walk up against the stream corridor. He said the proposed sidewalk shown connecting to the Muirfield Village Association system should be labeled.

Ms. Amorose Groomes said that could be added for the final development plan stage.

Mr. Adams pointed out that the dashed area on the plan was actually an easement area where the pond is contained. He explained that the City needs access to that for maintenance. He said they would not build anything that looked like it came out of an industrial park.

Mr. Adams explained that the primary reason they did not continue the sidewalk to the side was that the outlined area on the plan at the lower part of Lots 7, 8, and 9 was a wet area. He said they were trying to prevent the improvements from encroaching or even being remotely close there. He said they assumed that if you were at the back of the cul-de-sac you could walk around to connect to the path at Lots 15 or 1.

Mr. Adams explained that their thought behind the dimensions of the tree preservation zone was that the majority of the Ash trees they will have to remove are in the southwestern portion of the site and in the area between Lots 1 and 5, there are many Ash trees. He said as the residents mentioned they have Ash trees in their yard. He said that was the majority of where they will have to be removed, so they made those areas more generous. Mr. Adams said that everything within the project that is currently meadow, whether in a Reserve or in a tree preservation zone, is going to be reforested. He said that Brian Kinzelman at a previous Commission meeting, talked extensively about the reforestation program. Mr. Adams said they will be planting thousands of park grade trees in the area so that it can come back to a natural state, plus they also have to comply with the tree replacement requirement.

Ms. Amorose Groomes asked if the applicant would be applying for a waiver as part of this application.

Mr. Adams said no.

Ms. Kramb said she was not in favor of adding more sidewalk there because that end has many trees. She said when this plan is rearranged for the final development plan she did not want to see a point in the sidewalk at Lot 9, but a more curvilinear transition which was more practical. She reiterated that she was not in favor of adding more sidewalk, especially where the trees were located.

Mr. Hale said that they could make Lots 1 through 6 work as suggested, but they would like to have the opportunity at the final development plan stage to move Lot 6 to the south. He said the lots will be generous and there will be the same amount of open space as is seen now.

Ms. Kramb said she could not see how an extra lot could fit in by moving Lot 6 to the south. She suggested a tabling so that the applicant could return with another preliminary plan that showed where a lot could be relocated.

Mr. Adams said he did not understand the concern on the north side. He said when they began this, 65-foot lot widths was the objective, and he has made them physically larger to 75 and 80-foot lots. He said this is intended to be a smaller lot with more open space that is specifically earmarked to the type of buyer that they are trying to attract. He said buyers do not want larger lots and they want less maintenance. He said a 65-foot width at the building line was the criteria that he was told to work with when he first approached staff last summer. He said these lots were much denser.

Mr. Adams said he respected Mr. Hardt's comment that they did not match to the north, but it was never intended to match to the north. He said they presented to the Commission last time a traditional 19-lot single-family plan. He said the Commission said they did not want more of the same. He said this was a unique infill opportunity and the Commission agreed there was a demand for similar sized house with a different in function. He said it was all about design, first floor living, and lower level entertainment and bedrooms for the grandchildren. He said they could go back to 90-foot lots and be compliant with density, but it will be more of the same.

Mr. Adams said the traffic issue was also a big concern if they went to traditional single family with three-car garages, and three and four cars per family. He said the development was for people his age or older who have children in college or already through school that want to stay in the community. He said he lived a quarter-mile from here and this was his neighborhood. He reiterated the clear message he got from the Muirfield Village Association and from the Commission was to make this development special.

Mr. Adams said the first plan had 24 units on 65-foot wide lots, which resulted in a density of 2.0 units per acre that was higher than the existing neighborhood. He said the surrounding density was 1.6, 1.7, and 1.9 units per acre. Mr. Adams said the current plan is lower than the surrounding density in the contiguous sections of Muirfield. He pointed out the other sections also did not have as much open space as proposed.

Ms. Husak asked if the Commission's preference for Lot 1 was to eliminate any requirements for the driveway location, force its location to the south, or not permit it to be located to the west. Ms. Amorose Groomes said the preference was to limit the driveway location to the west.

Mr. Hardt said when a lot and a house start to get too narrow, even with a two-car garage, the garage tends to sit in front of the house so it can overlap on the rest of the living space behind it. Mr. Hardt said this design results in a street frontage that consists entirely of garage doors. Mr. Hardt said he was happy to be proven wrong about that, and it will not be known until footprints or layouts are shown at the final development plan stage. He said he was not opposed to voting on this preliminary development plan as proposed, but he would be looking at how this potential issue is addressed and if those houses have that problem, he may not support the final development plan. Mr. Hardt suggested a tabling would provide the applicant an opportunity to revise this preliminary plat or the Commission could vote on this preliminary plat with the understanding of the Commission's expectations to address these potential problems in the future.

Ms. Husak asked if a court-loaded garage with a concealed garage door would be acceptable. Mr. Hardt said that could be architecturally handled in good and bad ways, depending on how it is done which is a final development plan issue. He said he was concerned about casting a die here that then paints the houses into an architectural corner later down the road.

Ms. Husak explained her concern that architectural drawings or footprints would not be seen at the final development plan stage, unless there is a theme. Mr. Hardt said the applicant could voluntarily show the Commission what they had in mind.

Mr. Hardt asked if it was the intention to have court-loaded garages. Mr. Hale said there would be some court-loaded garages. He said another solution for front loaded garages would be to set the garage behind the front façade two feet so as not to create the 'snout' house design.

Ms. Amorose Groomes said she thought the Muirfield Village Design Committee could handle the lot width/garage issue. Mr. Hardt said he agreed, but said there could be a commitment made by the applicant.

Mr. Hale said they would agree to a condition that any front-loaded garage be setback two feet behind the front vestibule of the house, including the front porch.

Ms. Newell said she was uncomfortable with this restriction since the Commission has not seen the architecture causing design issues for the applicant. She agreed with the removal of Lot 6 and the retention of additional open space on the north side.

Ms. Kramb said she did not want another lot somewhere else. She said four of the five lots on the south side are already smaller than Lot 6 and she would not want another lot squeezed in. Ms. Amorose Groomes said she would not disagree.

Mr. Hardt said the Commission had two choices, either to vote on this application as presented or to table it and provide the applicant the opportunity to revise the layout.

Jennifer Readler said a condition could be placed on the preliminary plat to remove Lot 6, and then the proposed plan would be forwarded to City Council. She said existing Condition 4 could be revised to state, 'That the development text be revised to permit a maximum of 18 Lots and the proposed plans be revised to remove Lot 6 and incorporate a minimum lot width of 80 feet for Lots 1 through 5' to address the Commission's concerns.

Ms. Amorose Groomes said if the applicant wanted to add Lot 6 back, City Council could make that determination.

Ms. Newell asked if Mr. Hale agreed to remove Lot 6 and keep the lot layout as proposed without adding Lot 6 elsewhere.

Mr. Hale agreed to remove Lot 6, adjust the lots appropriately, and increase the setback along the creek. He said he did not think they would take all of Lot 6 and put it in lots. He said they would create a very nice buffer along the stream. Ms. Kramb and Ms. Amorose Groomes said they were comfortable with that.

Ms. Amorose Groomes agreed with Ms. Newell and was not comfortable dictating the façade design at this point. Mr. Hardt said he understood what they were saying, and he agreed.

Mr. Hale said they had no issue with getting rid of the 'snout' house. He said the houses could be built with the garages two feet behind the back of the house which makes a much more attractive house.

Ms. Amorose said Condition 7 listed in the Planning Report should be removed.

Mr. Hale referred to Condition 5, 'That the applicant verify the building envelopes to ensure all landmark trees are preserved', and said because they did not know where those trees were located, they may want to discuss that with the Commission at the final development plan stage.

Ms. Amorose Groomes asked the Commissioners if there were any other issues to address. [There were none.]

Motion #1 and Vote - Rezoning with Preliminary Development Plan

Ms. Kramb moved to recommend approval to City Council this Rezoning with Preliminary Development Plan because this proposal complies with the rezoning/preliminary development plan review criteria and the existing development standards within the area, with six conditions:

- 1) That the development text be revised to not require the driveway location for Lot 1 to be to the west;
- 2) That the development text be revised to clarify enforcement of the Association architectural requirements and Zoning Code required residential appearance provisions;
- 3) That the text be revised to require an architectural theme, if proposed, be approved by the Planning and Zoning Commission as part of the final development plan;
- 4) That the development text be revised to permit a maximum of 18 Lots and the proposed plans be revised to remove Lot 6 and incorporate a minimum lot width of 80 feet for Lots 1 through 5;
- 5) That the applicant verify the building envelopes to ensure all landmark trees are preserved; and
- 6) That the development text be revised to not permit an entry feature sign for this development.

Ben Hale Jr. agreed to the six conditions.

Ms. Newell seconded the motion. The vote was as follows: Mr. Hardt, yes; Ms. Amorose Groomes, yes; Ms. Newell, yes; and Ms. Kramb, yes. (Approved 4 – 0.)

Motion #2 and Vote - Preliminary Plat

Ms. Newell moved to recommend approval to City Council this Preliminary Plat because this proposal complies with the preliminary plat review criteria, with four conditions:

- 1) That the applicant ensure that any minor technical adjustments to the plat be made prior to City Council submittal, including noting the open space ownership and maintenance responsibilities and setback information;
- 2) That the applicant works with Delaware County to identify and follow the required vacation process as part of the Council review of this preliminary plat;
- 3) That the preliminary plat be revised to match the preliminary development plan in terms of the elimination of Lot 6 and the width of Lots 1 through 5; and
- 4) That the sidewalk along Lot 9 be redesigned to a more curvilinear pattern.

Ben Hale Jr. agreed to the conditions.

Ms. Kramb seconded the motion. The vote was as follows: Mr. Hardt, yes; Ms. Amorose Groomes, yes; Ms. Kramb, yes; and Ms. Newell, yes. (Approved 4 – 0.)

[Mr. Fishman and Mr. Taylor returned to the meeting room after they had recused themselves for this case.]

**2. Village at Coffman Park – Ganzhorn Suites
13-019CP**

**Discovery Blvd at Wall Street
Concept Plan**

Chair Chris Amorose Groomes introduced the following application for review and non-binding feedback of a Concept Plan for a potential future rezoning to permit a mix of office and elderly care uses on a nine-acre site on the south side of Post Road, east of Discovery Boulevard, north of Wall Street.

Claudia Husak presented this Concept Plan which is the first step in the PUD, Planned Unit Development Plan process. She said the site was zoned in 2005 as the Village of Coffman Park PUD with 66 detached units, three live/work units, a large clubhouse, common open space, and a pond. She presented the

approved 2007 Final Development Plan showing the straight pattern lot layout with a 5 unit per acre density. She said the surrounding uses are Standard Office on the south side of Post Road. She said many of those uses are within the large Perimeter Center Planned Commerce District and on the north side, larger lot residential homes on Post Road, and farther north, subdivisions within the City of Dublin, and then parkland as part of Coffman Park.

Ms. Husak presented the proposed plan provided by the applicant for the Commission's feedback. She said the proposal is to create within this new nine-acre PUD, three different subareas. She said the first subarea would be an approximate one-acre office area, the center would be a specialized memory care facility on approximately four acres, and the remaining four acres were divided by a north/south tree row. She said the applicant is unsure about the last subarea and Planning strongly encouraged the applicant to show a layout for the subarea. She said the proposed layout includes cottage-type elderly housing. Ms. Husak said conceptual architectural renderings were provided for the memory care portion of the proposal showing brick, stone, and siding with larger roof overhangs, and porte cochere typically seen on these types of facilities.

Ms. Husak said Planning's concerns are whether or not this proposal warrants a change to the Community Plan as it is designated as residential on the Future Land Use Map, and this use is institutional and office. She explained Planning's concern is with the approved PUD with an approved plan and the applicant is proposing to rezone out of that PUD, which leaves 2.5-acres undetermined. She said there are concerns about access for the existing condominiums and the fire department. Ms. Husak said there is not enough information available to determine how this would be addressed. She said the Commission is being asked if there is appropriate transition between the existing condominiums, the vacant two acres, and the applicant's proposal. She asked the Commission to discuss whether or not it is appropriate to have a new PUD separated from the existing PUD, and then whether or not the uses are arranged appropriately for the site. Ms. Husak said the applicant and Planning would welcome Commission comments.

Eleanor Alvarez, (1322 Manning Parkway, Powell, Ohio) representing Ganzhorn Real Estate Dublin, LLC, said that for 30 years she has been dedicated to caring for the elderly working for two large companies providing nursing, home care, and assisted living care. She said for the last 13 years she ran a consulting group that supported other nursing home operations across the country, helping them to improve quality, stay in compliance with regulations, and helping them with various operations and financial issues. She said she now wants to develop an assisted living center, just for Alzheimer's and other related dementia patients. She said they have designed a very specific building divided into four different pods or neighborhoods that create small specialized environments for people afflicted with the diseases. She said they were very excited to come to Dublin and they thought it would be a great asset to the community.

Mike Close, (Wiles, Boyle, Burkholder & Bringardner Co., 300 Spruce Street, Columbus, Ohio), representing the applicant, said Eleanor Alvarez explained this is not a large national operation. He said they had met with the neighbors. He said none of the condominium neighbors attended the meetings held. He said no one appeared to be opposed to the skilled care facility, but the question presented was what becomes of the existing 11 condominiums. He said those condominiums maintain both the clubhouse and the lake at some expense. He said negotiations or discussions have begun as to how this proposal would use the stormwater facilities, but share in the costs of maintenance to minimize the costs for the condominium owners. He said the remaining 2 acres portion will never be developed as condominium, simply because it is no longer financially feasible to do it. He said a price point cannot be hit with the land to develop it as proposed. He said the question is what happens to the rest of it. Mr. Close said Charlie Ruma is negotiating to get that completed. Mr. Close said he was not submitting his plan but he showed what his architectural drawing was that was 11 additional houses and roadway, which will complete the development, totaling 22 condominiums that will support the clubhouse and stormwater pond along with assistance from the applicant.

Mr. Close said the issue remaining was what would happen on the rest of the site. He said the only feasible development is an office-type development, whether it is an additional residential facility related to the assisted living facility or a suburban office. He said a suburban office would be nice for doctors to be close for the facility. He said they are considering a development there that is no more intrusive than the condominiums. He said at most, there would be two-story buildings which would not exceed the condominium height and be compatible to the surrounding area. Mr. Close said the proposed care facility will be a single-story building.

Mr. Close said using the soil on the site, it can be adequately mounded and landscaped so an office use could be separated from the condominium section. He said in addition, they recognize the need to ensure buffering to protect the residents on the north side of Post Road.

Mr. Close said the Planning Report does not include the steps that were taken prior to this. He said this development was not easy to get approved as condominiums. He said from his recollection, this was initially light industrial, then suburban office, and then the condominium project was approved. He said when looking at the surrounding uses, the suburban office was what should have remained. Mr. Close said that he thought this plan would provide adequate buffers. He said they had not heard any objections from the current condominium owners about developing an office use. He said they thought this facility was unique, there was a need for it in the community, and this was an appropriate area for it with commercial uses underneath it, beside it, and at the northeast corner of the property. He said they would discuss with Mr. Ruma about bringing this in as part of their preliminary development plan so that they can get things moving and platted. He offered to answer any questions.

Ms. Amorose Groomes invited public comments.

Ben Hale, Jr., Smith and Hale, (37 West Broad Street, Columbus, Ohio), said he represented Rosalinda Childers, and Charles Ruma, (Ruma Investment Co., 6760 Discovery Boulevard, Dublin, Ohio 43017). He said Mr. Ruma owns the property, formally owned by the Dublin Counseling Center which is located to the front, west of this site. He explained Mr. Ruma was purchasing the partially developed 11-unit site where the roads and pads could be constructed for 11 additional condominiums. He said Mr. Ruma had security concerns about the Alzheimer's facility interfacing with the daycare center, and asked that when the Commission reviews the development plan for this project, that it included. He explained he did not represent the individual condominium owners in the association, just the association. He said however, he had consulted with the current owners or residents who live in the condominiums. He said the pond, was owned by the City and has a boardwalk and a clubhouse, and they want to make absolutely sure that there is not an excessive burden placed on the 21 homeowners for maintenance costs. Mr. Hale said the applicant has agreed to pay in to the association an initial payment based on the other 42 units. He said Mr. Ruma puts \$500 into the association funds every time he sells one of the units. He said the applicant has agreed to participate in terms of the maintenance of those facilities and pay their fair share so the residents who live there will not be overly burdened with the cost of maintaining those facilities when they were designed for 63 units, and there will be only 21 units. He said from Mr. Ruma's and homeowners association's point of view, they think this protects the interests of the condominium association and the daycare center.

Jim Frazier, (Powell, Ohio), said after hearing about this development, he may choose not to close tomorrow on his condominium. He said originally, they were concerned about the commercial feel of the condominiums, but felt comfort there would be 66 units. He said they entered into a contract believing the current zoning would remain. Mr. Frazier said he had concerns that if there were only 20 units, it will become a less desirable neighborhood, and the value of the units currently owned will decrease or become rental property. He said the other potential condominium owners that might be in contract should have a chance to learn more about this project.

David Bromwich, (6300 Post Road, Dublin, Ohio), speaking on behalf of the Post Road Residents Association, said they were happy when this site was rezoned for 66 condominiums. He said this potential rezoning was not consistent with the Community Plan and there was a debate whether a different concept could work. He said the 11 condominiums were built just before the housing market dropped. He said the current concept plan is very broken up and the undefined office area to the east was a major concern. Mr. Bromwich said he wondered how intense the memory care facility would be. He said that Alzheimer's was a fatal disease where health declined over time, so emergency vehicles may frequent the facility. He said he had concerns about the affordability of maintaining the pond and clubhouse with only 21 condominiums and the enforcement of the maintenance fees years from now.

Gary Gray, (6022 Kenzie Lane, Dublin, Ohio), said he was happy he purchased his condominium from Mr. Ruma a year ago. He said he was the applicant and architect for the project in 1999 and had history with it from 2005. He said he believed it was a good use as it was rezoned. Mr. Gray said he thought with Mr. Ruma's acquisition and repositioning of it showed current sales would improve and the uncertainties about continuing this development in the future were going away. He said the proposed office building and memory care facility are compatible with the community and neighborhood. He said however, he thought the proposed use adjacent to the condominiums was inconsistent with the concept of a residential neighborhood. He said suburban office is just as much a speculation today as any other development product. He said with the current product there is some demonstrated market inertia for the future. Mr. Gray said he believed the applicant has been working with his neighbors, although he was not one of them, and he did not think there was any aspersions. He said he had heard from his neighbors the applicants have been good to work with and they anticipated this being developed.

Charles Ruma, (2585 Slate Run, Upper Arlington, Ohio), said he was most affected by this project. He said he had owned the daycare facility for over 20 years. He said he was not concerned about security in regards to the daycare because he was convinced they would do both fencing and landscaping. He however when a child is in a playground, you do not want to give them any concern and want to make sure that they are safe. He said Ms. Alvarez had satisfied that concern as far as he could see.

Mr. Ruma said the 11 lots that are partially developed for condominiums have been sitting there for almost a year, so he was glad that someone had said they are going to deal with the other nine acres. He said however, they need to deal with the two acres first. He said he wants to build ten more units, not 11 because they will have to swing the street out to Wall Street so there will be a loop which will give them a comfortable 20-unit condominium community. He reassured the Commission with 21 units at the current level the association is paying for assessments on a monthly basis the deal will work as long as the dementia facility pays into the association. He said when he first bought the property, he spent a lot of money fixing, cleaning, and finishing the units to make sure they were marketable. Mr. Ruma said he also funded the reserve to make sure that every bit of reserve that should have been paid over the prior four years was paid. He said the association is on firm financial ground. He said he also paid forward in terms of operating expenses until they can get additional units and make this work. Mr. Ruma said what the Commission was seeing would probably be one of the more successful projects that he had stepped into in a very short period. He said it appeared they had sold nine of the eleven units and they have interest in the remaining units. He said he had the other ten under contract and can start working on them, he will be in a situation where he can start pre-selling.

Mr. Ruma said the dementia facility has promised to do extensive landscaping on their eastern boundary, and his western boundary. He said he had an excess of soil on his site and he had permission from the owner and the dementia facility owner to build a mound of substance on the property line so there is a clear demarcation between the two facilities. He said the mound will go as far as 15 feet into each property. Mr. Ruma said whether it proceeds or not, he is going to build those ten condominiums, and maybe eleven if it does not proceed.

Mr. Close said he disagreed with Mr. Ruma that they had reached a deal as to how much they are going to contribute. He explained a proposal had been made, but they had not had a chance to evaluate it. He said he did not want anyone to leave misunderstanding. Mr. Ruma said if they do not make a deal with them, Mr. Hale and he will come down with full fury against this project. He said the applicant will need to make the appropriate contribution or they will not support it.

Cheryl Frazier, whose husband spoke earlier, said the unit they were to close on tomorrow was selling for more than \$350,000. She said they thought these homes were gorgeous and there was a need for this type of home. She said before buying the condominium, she would like to know what the Commission thinks about this Concept Plan. She said she thought if the owners of the existing units had been contacted about this, they would have been at this meeting because they thought more residential would be built.

Ms. Amorose Groomes said they would have a very clear picture of the Commissioner's thoughts before leaving the meeting.

Ms. Amorose Groomes verified that there were no additional public comments. She asked that the Commissioners begin their discussion.

Richard Taylor thanked Ms. Alvarez for considering to bring this project to Dublin and joining what is becoming a lengthy list of similar facilities proposed in Dublin. He said however, he did not think it was time for this yet on this property. He said his initial thought was that when this was originally approved in 2005, nobody was aware that we were about to step over the housing cliff. He said the past seven years have had a lot to do with the lack of sales in this area. He said he saw two things happening that potentially impacted this project to have legs in the future and to fill some of the goals it was originally designed to do. He said one is being a buffer to this road and another is if this is built out they most likely will attract users of the park more than the other proposed use. Mr. Taylor said the market may be changing and he thought it was too early to consider changing the use of this and the Community Plan when things might be improving. He said also, in that regard, they have spent a lot of time developing the areas close to this such as the Bridge Street Corridor and this dense higher end housing is something the Commission has advocated to have in this area. Mr. Taylor suggested this development was ahead of its time a little and the time may be returning for it. He said looking at the overall map of the area and what is developed and undeveloped around Coffman Park, this is the last piece of property that is going close to the park to be developed, and would be the largest one to not be residential if it were developed as proposed tonight. Mr. Taylor said his preference is that it stays according to the original zoning and the Community Plan, but he did not know if it would be the same development plan that was proposed in 2005, but maybe another version of that with fewer homes. He reiterated he thought the use needed to remain.

John Hardt said he would welcome a facility such as Ganzhorn Suites in Dublin, but he was not sure this was the right location for it. He said he was concerned about the potential impact to the abutting neighborhood. He said the current proposal seemed like it would cut off the neighborhood and leave it a shell of its former self. He said he also had many concerns whether a 20 condominium development was sustainable from a financial and a neighborhood perspective. He said he did not see how 20 isolated units would be a livable or sustainable neighborhood, and he believed there is some risk to that portion of this site potentially to become a blight on Dublin's crown jewel park next door. He said he needed to be convinced the condominium development could be brought to some kind of critical mass, making it sustainable culturally and financially and bringing it to some kind of sensible conclusion before he would consider another use for the balance of the site to the west.

Amy Kramb said she was fine with the care facility, and had the site not been residentially zoned she would support it in this location. She said she thought taking the condominiums to at least to the tree line would give the complex a large enough concentration to be a viable neighborhood. She said if left as 20

units, it would not be as thriving and she thought it might turn into a rental, transient place and not a 'we want to live here for the next 20 years' type place. She said maybe 40 units could get it, but she did not know. She said she had been convinced that financially, it will work, but she did not think a small residential pocket was wanted which would not have been the intent when it was rezoned originally. She reiterated there was a problem with the proposed location for the facility, but not the facility itself.

Victoria Newell said an Alzheimer's facility sometimes can be an appropriate mix when it is screened appropriately from nearby residential neighborhoods. She said the City had gone to great lengths to redirect traffic off Post Road. She said she was very concerned the existing residential area would become too isolated and she definitely thought it needed to be respected. She said the current zoning needed to remain. She said any development on this site definitely needed to screen well along Post Road and the residences. Ms. Newell said she was not supportive of the suburban office use in direct contact with the residential neighborhood.

Mr. Fishman said he was a Commission member in 2005 when the original rezoning application was presented and present for the daycare center application. He noted the meeting minutes reflected the Commission was convinced the development would buffer the residential zoning to the north. He said he was against the high density development then because he did not want to lose revenue for the City. He said it was zoned commercial, and he felt if it was down zoned residential, the City would lose revenue, however he was convinced that it was going to be a beautiful upscale neighborhood that was going to buffer the other residential on Post Road and it was going to be near the park for those residents. He said this was designed as a residential neighborhood to be massive to buffer the other neighborhoods, but also to be residential right against commercial zoning and have enough mass to support it. Mr. Fishman said he recalled the Commission got assurances from the developer at that time that it would be very upscale. He said even then, the units were going to be more than \$350,000. He said at this point, he could not support 20 or 40 units. Mr. Fishman said he supported the facility use and wanted to see it in Dublin, but he did not think this was the location for it. He said it would do an injustice to the existing condominium residents if the Commission surrounded them by a non-residential use. He said he hated to say though, because originally, he wanted to see a higher use and more revenue for the City. He said at this point, he had to agree with the other Commissioners.

Ms. Kramb said she was not a Commission member when this site was zoned to residential, and she probably would not have thought to even consider this residential then. She said however, it is residential now, and the problem is that a very small component of the residential construction has already started. She said because it is currently residential, she thought they needed to at least have a sustainable neighborhood.

Ms. Newell said she agreed partially with the other Commissioners. She said that they have frequently used some sort of care facility as a transition between office and residential uses all over the City. She said she did not have a problem with the Alzheimer's facility, but she certainly could not be supportive of an application that crossed the natural barrier. She said she thought a 40-unit neighborhood would be acceptable and would help in their revenue generation to maintain their common space. Ms. Amorose Groomes said she would be okay with rezoning the memory care portion, because memory care uses have traditionally been used as a transition between commercial and residential uses. She said she thought that would be appropriate here as well and she thought that a 40-unit condominium complex would provide enough appeal.

Mr. Fishman said he agreed with Ms. Amorose Groomes, but he felt it would be very important to keep the high quality scale of the existing condominiums.

Ms. Amorose Groomes said she would not rezone those condominiums. She said the zoning text had been approved.

Mr. Fishman said he thought health care was a decent transition. He said he did not know what number of units it would take to be sustainable. He said originally, they were convinced there needed to be 60-units.

Ms. Amorose Groomes said she would see this something similar to the Willowgrove Condominiums where they are isolated and surrounded by very different views. She said there is a very strong community there and they take very good care of their grounds.

Mr. Fishman said he would really welcome the facility and if the same quality of condominiums could be kept with the 40 or 44 units, he could live with that.

Ms. Newell said she hoped that it was clear that she thought the Alzheimer's care facility can be a good buffer to residential, but what was bothering her was the transition between the condominiums and the health care facility.

Mr. Hardt said he agreed it is probably the component in the middle that he had the most heartburn. He said it feels like they had a use identified on the west end of the site, and they know they need to do some sort of continuation of the residential into the site and that they do not know what is to be done with the site in the middle, and it is a question mark.

Ms. Amorose Groomes invited the applicant to ask questions about the Commissioners' feedback that was unclear. Mr. Close said he understood the Commissioner's comments and appreciated them.

Ms. Amorose Groomes said there is no vote would be taken because this is a Concept Plan. She said hopefully, the comments of the Commissioners were clear enough to the residents.

3. Coffman Park – Phase 1 13-016AFDP

5200 Emerald Parkway Amended Final Development Plan

Chris Amorose Groomes introduced the Amended Final Development Plan application requesting realignment of the entry drive to Coffman Park east of Commerce Parkway, construction of three bridge crossings, the addition of multi use paths, site grading and utility burial within Coffman Park, located on the north side of Post Road, at the intersection of Commerce Parkway. She explained the Commission has the final authority on this application, and swore in those wishing to speak in regards to this application, including City representatives.

Jennifer Rauch confirmed a presentation was not necessary.

Ms. Amorose Groomes asked if anyone from the public would like to speak with respect to this application. [There were none.]

Richard Taylor asked if a Buckeye tree could be located somewhere in this park. Ms. Amorose Groomes explained Buckeye trees typically grow along creeks, rivers, and low lying areas, and would be appropriate in the park. Laura Ball agreed.

Ms. Amorose Groomes asked how the proposed modifications fit with the Irish Festival layout. Ms. Ball said they have worked closely with the Dublin Events staff to ensure the proposal meets their needs.

Mr. Hardt asked if the proposed bridge would replace the need for a temporary crossing. Ms. Ball said the City spends approximately \$65,000 per year to make the temporary bridge, so the proposed bridge will replace it.

Motion and Vote

Mr. Taylor moved to approve this Amended Final Development Plan because this proposal complies with the preliminary development plan review criteria and the existing development standards within the area, with one condition:

- 1) The applicant work with Engineering to ensure 24 hour, 7 day a week access is maintained to the booster station.

Laura Ball agreed to the condition.

Ms. Newell seconded the motion. The vote was as follows: Ms. Amorose Groomes, yes; Mr. Fishman, yes; Ms. Kramb, yes; Mr. Hardt, yes; Ms. Newell, yes; and Mr. Taylor, yes. (Approved 6 – 0.)

Commission Roundtable

Ms. Amorose Groomes asked to defer the iPad discussion to a future meeting. Ms. Husak said a presentation and discussion would be scheduled for the May 2nd meeting.

Ms. Husak reported Steve Langworthy was recovering well from his surgery last week.

Ms. Amorose Groomes asked if there were any other issues or comments to be shared. [There were none.] She adjourned the meeting at 9:37 p.m.